

"Menestrex for Delayed Menstruation \* \* \* This preparation if used properly gives relief from the beginning of puberty until the cessation of menses. If taken according to directions you are assured of reasonable results. \* \* \* Prepared and recommended for delayed, scant and painful menses. \* \* \* One capsule four times a day three days before menstrual period."

On September 19, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30778. Misbranding of gauze bandages. U. S. v. 42 Dozen Gauze Bandages. Default decree of condemnation and destruction. (F. & D. No. 45482. Sample Nos. 51256-D, 51257-D, 51289-D.)**

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be contaminated with viable micro-organisms.

On June 10, 1939, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 42 dozen gauze bandages at Philadelphia, Pa.; alleging that the article had been shipped on or about December 27, 1938, by the Meditex Supply Co. from New York, N. Y.; and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the statement "Doctors and Nurses" and the design of a nurse and a cross appearing on the labels were false and misleading since they created the impression that the article was sterile and safe for use; whereas it was not sterile and was not safe for use.

On July 5, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30779. Misbranding of Permacedar Kennel Bedding. U. S. v. Twenty-four 5-Pound and 24 Bushel Bags of Aromatic Permacedar Kennel Bedding. Default decree of condemnation and destruction. (F. & D. No. 45475. Sample No. 52038-D.)**

The labeling of this veterinary product bore false and fraudulent representations regarding its curative and therapeutic effects.

On or about June 12, 1939, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of twenty-four 5-pound and 24 bushel bags of Aromatic Permacedar Kennel Bedding at Rochester, N. Y.; alleging that the article had been shipped in interstate commerce on or about January 28, 1939, by Yoho & Hooker from Youngstown, Ohio; and charging misbranding in violation of the Food and Drugs Act.

Examination showed that the article consisted of shavings from some member of the red-cedar group.

The article was alleged to be misbranded in that the following statements borne on the bag labels were statements regarding its curative or therapeutic effects and were false and fraudulent: "Reduces disease hazard \* \* \* For Dogs \* \* \* This direct contact develops a healthy lustrous coat \* \* \* Permacedar Bedding keeps the feet and hoofs in healthy condition by drawing out all fever."

The libel charged that the article was also misbranded in violation of the Insecticide Act of 1910, reported in notice of judgment No. 1702 published under that act.

On July 19, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30780. Adulteration and misbranding of tincture of digitalis. U. S. v. 24 Bottles of Tincture of Digitalis. Default decree of condemnation and destruction. (F. & D. No. 45253. Sample Nos. 53458-D, 53459-D.)**

This product possessed a potency approximately 30 percent below the standard laid down in the United States Pharmacopoeia for tincture of digitalis.

On April 29, 1939, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 bottles of tincture of digitalis at St. Louis, Mo.; alleging that the article had been shipped in interstate commerce on or about January 10, 1939, from Philadelphia, Pa., by

the National Drug Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopeia, namely, "Tincture Digitalis," but differed from the standard of strength, quality, and purity as determined by the test laid down therein, and its own standard of strength, quality, and purity was not stated on the label.

It was alleged to be misbranded in that the statements on the label, "Tincture Digitalis USPXI" and "Physiologically Standardized," were false and misleading when applied to an article that was materially subpotent.

On June 30, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30781. Adulteration and misbranding of prophylactics. U. S. v. 26 Gross and 25 Gross of Prophylactics. Default decree of condemnation and destruction.** (F. & D. Nos. 44826, 44827. Sample Nos. 45758-D, 45759-D.)

Samples of this product were found to be defective in that they contained holes.

On February 16, 1939, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 51 gross of prophylactics at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about January 5, 1939, from Akron, Ohio, by Killashun Sales Division; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part "Liquid Latex."

It was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold.

Misbranding was alleged in that the following label statements were false and misleading: (Stamped on article) "For Prevention of Disease" and (boxes) "Guaranteed Five Years \* \* \* For Prevention of Disease."

On April 21, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30782. Misbranding of Dormalgin. U. S. v. 13 Boxes of Dormalgin. Default decree of condemnation and destruction.** (F. & D. No. 45233. Sample No. 60114-D.)

The labeling of this product bore false and fraudulent representations regarding its curative and therapeutic effectiveness. Its label also falsely and fraudulently represented that it was an appropriate and harmless medicine, whereas it was not harmless but was a dangerous drug.

On April 28, 1939, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 boxes of Dormalgin at Syracuse, N. Y.; alleging that the article had been shipped in interstate commerce on or about April 14, 1938, and January 21, 1939, by Lawson M. Luth from Darien, Conn.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that each tablet contained approximately  $\frac{3}{4}$  grain of butyl-B-bromallylbarbituric acid and 2 grains of aminopyrine.

The article was alleged to be misbranded in that the following statements on the carton and in a circular were statements regarding its curative or therapeutic effects and were false and fraudulent: (Carton) "For relief of \* \* \* Toothache \* \* \* Sciatica, Neuritis, Rheumatism, Lumbago, Gout \* \* \* Painful Menstruation"; (circular) "Recommended for the following conditions: \* \* \* Painful Menstruation: 1 tablet, if necessary repeat after three hours. Rheumatism, Gout, Lumbago: 1 tablet each morning and night. If severe, double the dosage. Toothache: 2 tablets. If not relieved 1 more tablet after three hours \* \* \* It is indicated for all painful diseases \* \* \* Dormalgin represents a valuable nerve tonic." The article was alleged to be misbranded further in that the following statements contained in the circular shipped with it were false and misleading and were false and fraudulent since they created the impression that it was an appropriate and harmless medicament for the conditions mentioned therein; whereas it was not as represented but was a dangerous drug: "Dormalgin has been submitted to the most severe laboratory and clinical tests. Prominent clinics and medical men in private practice have conducted the most rigid research examinations.